

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, : No. 4:00-CR-0331  
:   
: (Judge Brann)  
v. :  
:   
EDWARD F. LATIMORE, :  
:   
Defendant. :  
:

**ORDER**

**AND NOW**, this 15<sup>th</sup> day of August 2017, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Petitioner's Motion to Correct Sentence Under § 2255 is **DENIED**.  
ECF No. 5.
2. A certificate of appealability is granted on the issue of whether *United States v. Johnson*, 135 S.Ct. 2551 (2015), “newly recognize[s]” a right for petitioner under 28 U.S.C. § 2255(f)(3).
3. The Clerk of Court is directed to close 4:16-CV-1202.

BY THE COURT:

s/ Matthew W. Brann  
Matthew W. Brann  
United States District Judge